

**IN THE FRANKLIN COUNTY MUNICIPAL COURT  
ENVIRONMENTAL DIVISION  
FRANKLIN COUNTY, OHIO**

**STATE EX. REL**  
**COLUMBUS CITY ATTORNEY**  
**ZACH KLEIN**  
375 South High Street, 17th Floor  
Columbus, Ohio 43215

Relator-Plaintiff,

v.

**BETHEL BARKER**  
4495 Kay Court  
Grove City, OH 43123

**AND ALSO AT:**  
2905 Columbus Street, Suite B  
Grove City, OH 43123

and

**UNKNOWN TENANTS OF**  
**635 RACINE AVENUE**  
635 Racine Avenue  
Columbus, Ohio 43204

and

**UNKNOWN TENANTS OF**  
**637 RACINE AVENUE**  
637 Racine Avenue  
Columbus, Ohio 43204

and

**UNKNOWN TENANTS OF**  
**639 RACINE AVENUE**  
639 Racine Avenue  
Columbus, Ohio 43204

and

**MEGAN SLONE**

Case No.

Judge Stephanie Mingo

641 Racine Avenue  
Columbus, Ohio 43204

and

**EMMANUEL BRYANT**  
641 Racine Avenue  
Columbus, Ohio 43204

**CHERYL BROOKS SULLIVAN**  
**FRANKLIN COUNTY TREASURER**  
373 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

and

**REAL PROPERTY AT**  
**635-641 RACINE AVENUE**  
635-641 Racine Avenue  
Columbus, Ohio 43204

**Parcel No. 010-068376**

Respondents-Defendants.

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### **PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER**

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This matter came before the Court on December 7, 2020, on Relator's request for a preliminary injunction filed in conjunction with a Complaint for Preliminary and Permanent Injunctive Relief. For purposes of the preliminary injunction, the Court finds that the Relator has established that Respondents-Defendants Megan Slone and Emmanuel Bryant are owners and/or person in charge, care or control of the property located at 641 Racine Avenue, Columbus, Ohio, Parcel No. 010-068376 ("the Premises"). On information and belief, Relator asserts the following:

1. The Premises came to the attention of Columbus Police Department ("CPD") and more specifically the CPD Narcotics Bureau ("CPD Narcotics") in 2019.
2. Columbus Police Officers have been dispatched to the Premises thirty three times since August 2019 on complaints of narcotics sales, prostitution, and disturbances.

3. On August 7, 2019, CPD responded to 641 Racine Avenue on report of a burglary.
4. On September 19, 2019, CPD responded to a domestic violence incident at 641 Racine Avenue. The victim had observable injuries and the suspect was charged with domestic violence and assault.
5. On October 1, 2019, CPD officers were on their division bicycles in the area when they recognized an individual in the rear of 641 Racine Avenue. Upon running the individuals information, officers determined that he had a good warrant for re-occupancy of a building and failure to appear for a child neglect case in Fairfield County. The individual was arrested and slated.
6. On December 13, 2019, CPD responded to a disturbance at 641 Racine Avenue.
7. On December 17, 2019, CPD responded to a domestic violence incident at 641 Racine Avenue involving the same individuals from the September 19, 2019 assault.
8. On January 23, 2020, CPD received a complaint regarding narcotics activity at the Premises. The caller indicated that he believed they were making and selling meth at 635 Racine Avenue. The complainant stated that there was foot traffic day and night dealing out of the rear of both 635 and 641 Racine Avenue. The caller also indicated that they believed the two locations were working together.
9. On March 27, 2020, CPD responded to 641 Racine Avenue on report of an assault. The victim stated the suspect said "Bitch, I'll beat your ass," and then proceeded to spit in the victim's face.
10. Also on March 27, 2020, CPD received a call regarding a domestic violence incident at 641 Racine Avenue. The suspect was making threats that if he is going to jail, he is going to make it worth it.

11. On April 4, 2020, CPD officers were on routine patrol in the area of 635 Racine Avenue when they observed an individual. Upon a routine check of the individual, it was determined that he had felony warrants for his arrest. Before officers could make contact, the individual went into the rear of 641 Racine Avenue. Officers made contact with Melissa Humphrey, who was the subject of a previous abatement in the Hilltop, and told her that the suspect needed to come outside. The suspect came outside and was arrested without incident.
12. On April 29, 2020, CPD responded to 641 Racine Avenue on a domestic violence incident. Witnesses confirmed that the suspect had punched the victim in the face.
13. On May 1, 2020, CPD responded to a Shotspotter alert from the Premises. The victim stated that they observed the suspect in the rear of the Premises. The witnesses were watching the suspect when he told them to go inside or he would shoot them. The suspect later fired four shots from his vehicle and drove off. The witnesses stated they did not know the suspect but that the vehicle is parked there almost every day. Officers collected the 9mm shell casings and turned them into the property room.
14. On May 16, 2020, CPD officers responded to 641 Racine Avenue on a reported assault. Victim #1 stated Victim #2 has assaulted them inside the residence. Victim #2 was found was located a short distance away and was observed to be extremely intoxicated. Victim #2 also had a large gash on his hand that was bleeding profusely. Victim #2 was transported to the hospital and informed medics that Victim #1 was smoking heroin and he had tried to remove their son from the residence. Victim #1 then allegedly told other men at 641 Racine to knock Victim #2 out. Victim #2 was then struck from behind by individuals connected to a well-known drug dealer in the area.

15. While at 641 Racine Avenue on May 16, 2020, officers also observed a known individual who was found to have active warrants out of Delaware County for possession of cocaine.
16. On May 20, 2020, CPD officers responded to 641 Racine Avenue on report of a suspicious individual. The witness reported that the individual had been standing in the rear of the Premises for approximately six hours. When officers made contact, the suspect did not know where he lived, the date, or the month. The witness advised that the individual had been standing outside the Premises the day prior for ten hours. The suspect was taken into custody and pink slipped.
17. On June 25, 2020, CPD responded to 641 Racine on report of an assault. The victim stated the suspect pushed them and then took their ATM card. During the investigation, the suspect returned and stated that the victim had given them the ATM card and told them their pin and that the victim had been taking drugs. No charges were filed.
18. August 17, 2020 FCSO detectives were conducting surveillance at 635 Racine Avenue. Detectives observed an individual pull up in a vehicle and enter the rear of the Premises. The individual exited the residence nine minutes later and drove off. Detectives later stopped the vehicle and the driver admitted that they had been at the residence and purchased crack cocaine. The driver was found to be in possession of two crack pipes but no narcotics were located. The driver also informed the detective that an individual known as "Yellow Boy" sells fentanyl, heroin, crack, and methamphetamine from the residence. The driver stated they have seen multiple prostitutes at the Premises.
19. On August 18, 2020, Columbus police were patrolling the area when they observed a vehicle in the rear of 641 Racine Avenue. The male saw officers and immediately went into 641 Racine Avenue. Officers conducted a traffic stop of the individual when they left

the Premises. Neither individual would say why they were leaving in a hurry but the driver indicated he had done prison time for trafficking in drugs.

20. On September 14, 2020 FCSO Lieutenant Bachelder sent a letter via certified mail to the owner Bethel Barker to inform them that an illegal purchase of narcotics had been made on September 8, 2020 at 635 Racine Avenue.
21. On October 16, 2020, CPD responded to a report of a stolen vehicle at 641 Racine Avenue. The victim stated that a known individual had taken their car without permission. The vehicle was later recovered on the City south side with different individuals inside the vehicle. The suspects stated that they had rented the vehicle from another individual but were afraid to return the vehicle when they found a gun in the driver side door. One of the occupants was arrested and slated for an outstanding felony warrant and new weapons offense. The other occupant was released pending future indictment after claiming the firearm recovered by officers was hers.
22. On October 24, 2020, CPD received a complaint of a person with a gun at 641 Racine Avenue.
23. On October 29, 2020, CPD received a complaint regarding 641 Racine Avenue. The caller stated that their daughter was missing and they received a call from her saying she was at the residence. The caller stated their daughter was scared for her life and that this is a drug house that sells fentanyl.
24. On December 1, 2020, CPD responded to a Shotspotter alert at the rear of 641 Racine Avenue. When officers arrived they learned that the victim had already been taken to the hospital. Witnesses stated that the suspect had been staying at their residence the past few days and they were observed with a 9mm pistol. An apparent altercation had taken place

earlier between the suspect and victim and the suspect later shot the victim in the abdomen.

The victim died fifteen days later.

25. On December 21, 2020, CPD received a complaint that 641 Racine Avenue was still a drug house. The caller stated there are needles everywhere and there are guns left out everywhere. According to the caller, a two year old had eaten a Xanax and was unconscious for sixteen hours. Officers conducted a walkthrough of the residence and observed several known drug users inside the residence.
26. The Premises, and specifically the illegal narcotics activity at the property, constitute an imminent danger for those at and around the Premises.
27. Failing to immediately padlock the property after the execution of the temporary restraining order will allow the dangerous illegal activity to continue, thereby causing immediate and irreparable injury, loss or damage to the applicant and the community.
28. Closure of the property is necessary in order to prevent destruction or removal of contraband or other property.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:**

Relator has established by clear and convincing evidence that the felony drug activity and illegal/unsafe activity occurring at the Premises continues to cause irreparable harm to the community and that Respondents-Defendants Megan Slone and Emmanuel Bryant were responsible for maintaining a nuisance at 641 Racine Avenue as defined in R.C. § 3719.10 and 3767.01. It is the further ORDER of this Court that all occupants of 641 Racine Avenue be forcibly removed from the Premises forthwith. In executing this order, all barricades throughout the structure may be forcibly removed so as to prevent fortifying portions of the residence. Said occupants may be forcibly detained during the execution of this order. Furthermore, the premises

shall be closed, padlocked, boarded or secured as deemed necessary by the Chief of the Columbus Police Department or his or her designee(s) against its use for any purpose until a final decision is rendered on the Complaint for Preliminary and Permanent Injunctive Relief as required by R.C. § 3767.04. This temporary restraining order shall apply to and prohibit usage of or entrance onto any curtilage or porch areas of the premises for any purpose—no vehicles or persons are to be anywhere on the parcel.

It is further **ORDERED** that this temporary restraining order shall apply to the parcel in its entirety. No person may enter and/or occupy 641 Racine Avenue, Columbus, Ohio, including any portion of the parcel. Any violation of this order, including mutilation of this order, is contempt of court, punishable as a first degree misdemeanor.

It is further **ORDERED** that only necessary personal property located on the premises be removed by the occupants prior to closure and under the direction of the Columbus Division of Police. The Columbus Division of Police is authorized to inventory personal property located on the premises; however, only items related to or in connection with the illegal conduct must be inventoried and accounted for. The Columbus Division of Police may, however, also remove and secure at an off-site location highly mobile and valuable property, including but not limited to such personal property as automobiles, cash, jewelry and electronic equipment which may be at risk of theft during the pendency of this ORDER.

This case is continued for a status conference on the 19<sup>th</sup> day of April, 2021 at 12:00 A.M. in courtroom 15B, located on the 15<sup>th</sup> floor of 375 S. High Street, Columbus, Ohio 43215. This Order shall remain in effect until that time or as otherwise ordered by this Court.

This order shall be served upon the Respondents-Defendants by the Columbus Division of Police or Relator's Counsel; the order may be served by posting a copy of it in a conspicuous place

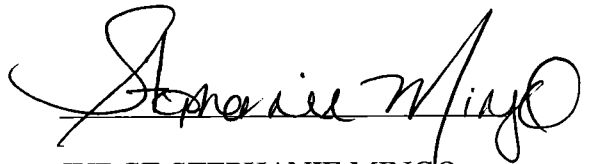


at or upon one or more of the principal doors or entrances of the property. The closing of said Premises with forcible entry and removal of all occupants shall be effectuated by the Columbus Division of Police with the assistance of Columbus Code Enforcement. Based on the Affidavit submitted with the Complaint and Motion, the Court finds that notice of entry upon the premises could result in destruction, concealment or removal of contraband, illegal narcotics or property and could create a serious risk of physical harm to law enforcement officers or other authorized individuals in the execution of this *ex parte* Order.

**IT IS SO ORDERED.**

1/26/2021

DATE

A handwritten signature in black ink, appearing to read "Stephanie Mingo", written over a horizontal line.

JUDGE STEPHANIE MINGO